

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TIMOTHY L. NORDSTROM,

Plaintiff,

vs.

CITY OF WAHOO, a Political Subdivision of the State of Nebraska; GERALD D. JOHNSON, in his capacity as City Council Member of the City of Wahoo; CARL WARFORD, in his capacity as City Council Member of the City of Wahoo; RYAN IDEAUS, in his capacity as City Council Member of the City of Wahoo; SHANE SWEET, in his capacity as City Council Member of the City of Wahoo; CHRIS RAPPL, in his capacity as City Council Member of the City of Wahoo; STUART KREJCI, in his capacity as City Council Member of the City of Wahoo; and PATRICK NAGLE, in his capacity as City Council Member of the City of Wahoo;

Defendants.

8:23CV311

ORDER

Plaintiff filed an amended motion to compel. [Filing No. 64](#). Plaintiff's amended motion is substantially identical to his motion to compel, [Filing No. 49](#), with the exception of his request for a hearing on the motion or, in the alternative, his request for leave to file an amended index of evidence in support of his motion.

Accordingly,

IT IS ORDERED:

- 1) Plaintiff's previous motion to compel, [Filing No. 49](#), is denied as moot. The operative motion to compel is Plaintiff's amended motion to compel at [Filing No. 64](#).
- 2) The Court grants [Filing No. 64](#) in part, denies [Filing No. 64](#) in part, and reserves ruling on the remainder of the motion until it is fully submitted as set forth below.
 - a. Plaintiff's request for oral argument and an evidentiary hearing is denied.
 - b. Plaintiff may file an amended index of evidence in support of his motion to compel on or before **December 13, 2024**. If Plaintiff does not timely file an amended index of evidence, the Court will presume Plaintiff intends to rely on his previously filed index of evidence with corresponding attachments at [Filing No. 54](#).
 - c. If Plaintiff timely files an amended index of evidence, Defendants may file an amended response brief and/or index of evidence on or before **December 20, 2024**. If Defendants do not file an amended brief and/or index of evidence, the Court will presume Defendants intend to rely on their previously filed brief, [Filing No. 63](#), and/or index of evidence with corresponding attachments, [Filing No. 62](#).
 - d. Plaintiff shall file a reply in support of his amended motion to compel on or before **December 27, 2024**.

Dated this 10th day of December, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge